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EXPRESS MAIL LABEL NO.: EV333486597US

PATENT

Attorney Docket No. 26050-709.501

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application)	<u>PATENT APPLICATION</u>
)	
Inventor(s): Pingyu Zhong)	
)	Art Unit: 1631
Application No.: 10/723,434)	
)	Examiner: Not yet assigned
Filed: November 26, 2003)	
)	
Title "Humanized Antibodies Against Vascular Endothelial Growth Factor")	
)	

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

UNDER 37 C.F.R. §1.97

Sir:

Listed below or on an attached Form PTO/SB/08B is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO/SB/08B is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.


- ☒ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):
- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)
-- OR --
- ☐ (2) It is being filed within 3 months of entry of a national stage
-- OR --
- ☒ (3) It is being filed before the mail date of the first Office Action on the merits
-- OR --
- ☐ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.
- ☐ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:
- ☐ a certification as specified in §1.97(e) is provided below; **or**
- ☐ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:
- A. a certification as specified in §1.97(e) is completed below; and
- B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; **and**
- C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ Copies of each of the references listed on the attached Form PTO/SB/08B are enclosed herewith.
- ☐ Copies of references listed on the attached Form PTO/SB/08B are enclosed herewith EXCEPT THAT:
- ☐ In view of the voluminous nature of references, and the likelihood that these references are available to the Examiner in the file history of the parent application (Serial No.), copies are not enclosed herewith.
- ☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

- ☒ Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a)(2). (The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-1449 are not enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i)).
- ☒ There are no listed references which are not in the English language.
- ☐ The relevance of those listed references which are not in the English language is as follows:
- ☐ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.
- ☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.
- ☒ *Fee Authorization.* The Commissioner is hereby authorized to charge the above-referenced fees of \$0.00 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 23-2415 (Docket No. 26050-709.501).

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI

Dated: June 16, 2004

By: 
Shirley Chen, Ph.D., Reg. No. 44,608

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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/723,434
				Filing Date	November 26, 2003
				First Named Inventor	Pingyu Zhong
				Art Unit	1631
				Examiner Name	Not yet assigned
Sheet	1	of	1	Attorney Docket Number	26050-709.501

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		MANDAL, C. et al., "ABGEN A Knowledge-Based Automated Approach for Antibody Structure Modeling", <i>Nature Biotechnology</i> , Vol. 14, March 1996, pp. 323-328.	
		BORREBAECK, C. et al., "Antibody evolution beyond Nature", <i>Nature Biotechnology</i> , Vol. 20, Dec. 2002, pp. 1189-1190.	
		BOWIE, J. et al., "A Method to Identify Protein Sequences That Fold into a Known Three-Dimensional Structure", <i>Science</i> , Vol. 253, July 1991, pp. 164-170.	
		VOIGT, C. et al., "Computational method to reduce the search space for directed protein evolution", <i>Proc. Natl. Acad. Sci. USA</i> , Vol. 98, No. 7, March 2001, pp. 3778-3783.	
		MOORE, G. et al., "Computational Challenges in Combinatorial Library Design for Protein Engineering", <i>AIChE Journal</i> , Vol. 50, No. 2, Feb. 2004, pp. 262-272.	
		KONO, H. et al., "Statistical Theory for Protein Combinatorial Libraries. Packing Interactions, Backbone Flexibility, and the Sequence Variability of a Main-chain Structure", <i>J. Mol. Biol.</i> , Vol. 306 (2001), pp. 607-628.	
		WU, H. et al., "Stepwise <i>in vitro</i> affinity maturation of Vitaxin, an $\alpha_v\beta_3$ -specific humanized mAb", <i>Proc. Natl. Acad. Sci. USA</i> , Vol. 95, May 1998, pp. 6037-6042.	

Examiner signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.